

### **Remarks**

Claims 1-25 are pending. With this Response, claims 14-25 are amended. Upon entry of the current amendments, claims 1-25 remain pending.

Applicant submits that the claim amendments are fully supported by the application as originally filed and do not present new matter.

Independent claim 14 is amended to recite a method of hand cleaning. Support for the amendment to claim 14 can be found throughout the specification as originally filed, e.g., at page 7, lines 1 and 2, and page 12, lines 3-12. Claims 15-24 depend from claim 14 and are amended to conform to method claims.

Independent claim 25 is amended to provide the same cleaning composition as independent claim 1, yet further providing certain weight relations among certain ingredients. Support for the amendment to claim 25 can be found in the specification as originally filed, e.g., at page 8, lines 15-17, page 10, lines 3-6, and page 12, lines 3-11.

Applicant respectfully requests reconsideration and further examination of the application in view of the amendments above and remarks below.

### **Claim Rejections Under 35 U.S.C. §102**

Claims 1-25 stand rejected under 35 U.S.C. §102(b) as being anticipated by Googin et al. (U.S. Pat. No. 5,207,838).

Applicant respectfully traverses this rejection because Googin et al. do not teach the a cleaning composition including the three key ingredients recited in independent claims 1, 14, and especially in amended claim 25. In addition, Googin et al. do not remotely teach a method of hand cleaning as now recited in amended claim 14.

Claim 1 provides a decontamination methodology that uses a cleaning composition having the following three key ingredients, wherein at least one of the ingredients has a flash point of at least 30°F:

- 1) an oil solubilizing amount of a degreaser;
- 2) a rubber solvent; and
- 3) a polar, organic diluent.

These three ingredients are key to a cleaning composition used in the present invention because such a cleaning composition can provide tremendous cleaning power (e.g., surface and sub-surface deep cleaning), while at the same time being compatible with a wide range

of surfaces (e.g., from metal and/or ceramic to body surfaces such as hands) (see the specification at, e.g., page 5, line 27 to page 6, line 4, and page 6, line 22 to page 7, line 2).

Googin et al. do not identically teach a cleaning composition that includes the three key ingredients as set forth in claim 1. Googin et al. repeatedly describe their composition as a two-component system having A) a particular nonpolar aliphatic hydrocarbon solvent and B) a particular polar solvent (see Googin et al. at, e.g., the Abstract, col. 3, lines 24-29, and col. 4, lines 39-47).

As support for the conclusion that claim 1 is anticipated by Googin et al., the Office Action pieces together the following excerpts taken from the Googin et al. reference:

- for the rubber solvent ingredient of claim 1, the Office Action points to the nonpolar aliphatic hydrocarbon solvent component of the two-component composition of Googin et al. (see the Office Action at pages 4 and 5); and
- for the degreaser and polar, organic diluent ingredients of claim 1 being both present with a rubber solvent ingredient, the Office Action points to the polar solvent component of the two-component Googin et al. composition., which polar solvent component is recited as a Markush group in dependent claim 10 of Googin et al.

In other words, the Office Action concludes that because claim 10 of Googin et al. recites “and mixtures thereof” the polar solvent component of Googin et al. could include, e.g., both 1-hexanol and one of the glycol ethers recited in claim 10 and therefore teach the polar, organic diluent and degreaser features of claim 1, respectively.

It is submitted that the Markush group recited in claim 10 of Googin et al. does not support the Office Action’s position that Googin et al. teach a composition having a degreaser ingredient and polar, organic diluent together. As noted above, the Markush group recited in claim 10 represents the polar solvent component of the Googin et al. two-component system. The Markush group in claim 10 of Googin et al. recites 13 different compounds for the Googin et al. polar solvent component, meaning it would be possible for any of the 13 recited ingredients to individually satisfy the polar solvent component of Googin et al. In addition, the “and mixtures thereof” language recited in claim 10 of Googin et al. represents a mere possibility that any of the ingredients may be combined in some manner to provide the polar solvent component of Googin et al. However, Googin et al. do not even remotely teach that these ingredients are necessarily combined to provide a polar

solvent component or how these different ingredients could be combined to provide a polar solvent component.

Claim 25, as amended, is even more distinct from Googin et al. than claim 1. With this Response, claim 25 is amended to provide the same three key ingredients as recited in claim 1, discussed above, yet further recites specific weight relations that must be satisfied among the degreaser, rubber solvent, and polar, organic diluent ingredients.

As similarly discussed above with respect to claim 1, Googin et al. do not teach the three key ingredient combination now recited in claim 25. Moreover, given that Googin et al. do not recognize the significance of the three ingredient combination recited in claim 25, it is not seen how the Googin et al. reference could even remotely teach providing these three key ingredients so as to satisfy the specific weight relations recited in claim 25.

Claim 14 is amended to provide a method of hand cleaning using the same three-ingredient combination recited in claim 1. As similarly discussed above with respect to claim 1, Googin et al. do not teach the three key ingredient combination recited in claim 14. Moreover, Googin et al. do not even remotely mention using their cleaning composition for hand cleaning. Googin et al. disclose that their cleaning composition is for cleaning metal surfaces, especially radioactive materials (see Googin et al. at, e.g., the Title and col. 3, lines 5-10).

Accordingly, it is respectfully requested that the rejection of claims 1-25 under 35 U.S.C. §102(b) as being anticipated by Googin et al. be withdrawn.

Claims 1-25 stand rejected under 35 U.S.C. §102(e) as being anticipated by McDonald (U.S. Pat. No. 6,583,097).

Applicant respectfully traverses this rejection because the McDonald reference is not “by another” as required by 35 U.S.C. §102(e) and, therefore, is not available as a §102(e) reference.

The inventive entity of the McDonald reference is Mary E. McDonald which is the same inventive entity of the above-identified patent application. Therefore, the McDonald reference is not available as a §102(e) reference. Moreover, the McDonald reference is not available as a reference under any other provision of §102.

Accordingly, it is respectfully requested that the rejection of claims 1-25 under 35 U.S.C. §102(e) as being anticipated by the McDonald reference be withdrawn.

### **Claim Rejections Under 35 U.S.C. §103**

Claims 1-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over McDonald as applied to claims 1-25 above, and further in view of Googin et al.

Applicant traverses this rejection because, as discussed above, the McDonald reference is not available as a prior art reference thereby removing the primary basis of the Office Action's rejection.

Accordingly, it is respectfully requested that the rejection of claims 1-25 under 35 U.S.C. §103(a) as being unpatentable over McDonald as applied to claims 1-25 above, and further in view of Googin et al., be withdrawn.

### **Double Patenting Rejections**

Claims 14-24 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of McDonald.

Applicant respectfully submits that the amendment of independent claim 14 to a method of hand cleaning renders this rejection of claims 14-24 moot.

Accordingly, it is respectfully requested that the rejection of claims 14-24 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of McDonald, be withdrawn.

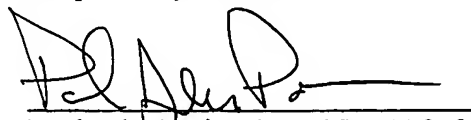
### **Conclusion**

In view of the amendments and remarks above, it is respectfully submitted that the above-identified application is in condition for allowance.

The Examiner is invited to contact the undersigned, at the Examiner's convenience, should the Examiner have any questions regarding this communication or the present patent application.

Respectfully Submitted,

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